

CHAP. 376.—An Act To authorize the improvement of the Oregon Caves in the Siskiyou National Forest, Oregon.

February 28, 1929.

[S. 3162.]

[Public, No. 853.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized to construct and maintain such improvements within and near the Oregon Caves in the Siskiyou National Forest, Oregon, as are necessary for the comfort and convenience of the visiting public, including the purchase of materials and equipment for lighting the caves and washing the interior thereof, and providing easier accessibility and traversibility thereof, and providing an additional exit or entrance, and for installing such materials and equipment; and for the aforesaid purposes the sum of not more than \$35,000 is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

Oregon Caves, in Siskiyou Forest, Oregon.

Improvements authorized in, for visiting public.

Sum authorized.

Approved, February 28, 1929.

CHAP. 377.—An Act Conferring jurisdiction upon the Court of Claims to hear, adjudicate, and render judgment in claims which the northwestern bands of Shoshone Indians may have against the United States.

February 28, 1929.

[S. 710.]

[Public, No. 854.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction be, and hereby is, conferred upon the Court of Claims, notwithstanding lapse of time or statutes of limitations, to hear, adjudicate, and render judgment in any and all claims which the northwestern bands of Shoshone Indians may have against the United States arising under or growing out of the treaty of July 2, 1863 (Eighteenth Statutes, page 685-2 Kappler, 848); treaty of July 30, 1863 (Thirteenth Statutes, page 863-2 Kappler, 850); Act of Congress approved December 15, 1874 (Eighteenth Statutes, page 291), and any subsequent treaty Act of Congress, or Executive order, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States.

Shoshone Indians. Claims of northwestern bands of, submitted to Court of Claims.

Vol. 18, p. 685; Vol. 13, p. 663.

Vol. 18, p. 291.

SEC. 2. That any and all claims against the United States within the purview of this Act shall be forever barred unless suit be instituted or petition filed as herein provided in the Court of Claims within five years from the date of the approval of this Act; and such suit shall make the northwestern bands of Shoshone Indians party plaintiff and the United States party defendant. The petition shall be verified by the attorney or attorneys employed to prosecute such claims under contract with the northwestern bands of Shoshone Indians, approved by the Commissioner of Indian Affairs and the Secretary of the Interior as provided by law. Official letters, papers, documents, and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys for said Indians to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys for said Indians.

Time for filing.

Verification.

Evidence admitted.

SEC. 3. That in said suit the Court of Claims shall also hear, examine, consider, and adjudicate all claims which the United States may have against the said northwestern bands of Shoshone Indians. Any payment which may have been made by the United States, including gratuities for the benefit of any band or bands of said Indians or for their support and civilization, shall not operate as an estoppel, but may be pleaded as a set-off in said suit.

Counterclaims admitted.

Set-offs, etc.

SEC. 4. That from the decision of the Court of Claims in any suit prosecuted under the authority of this Act an appeal may be

Appeals allowed.

taken by either party, as in other cases, to the Supreme Court of the United States.

Issue of process.

SEC. 5. The Court of Claims shall have full authority by proper process and orders to bring in and make parties to such suit any and all persons deemed by it necessary or proper to the final determination of the matters in controversy.

Appearance of Attorney General directed.

SEC. 6. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he or some attorney from the Department of Justice to be designated by him is hereby directed to appear and defend the interests of the United States in such case.

Fees, etc., to be included in decree.

SEC. 7. Upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per centum of the recovery, together with all necessary and proper expenses incurred in preparation and prosecution of the suit, to be paid to the attorney or attorneys employed by said northwestern bands of Shoshone Indians, or any of them, and the same shall be included in the decree and shall be paid out of any sum or sums found to be due said bands.

Amounts recovered to be deposited to credit of the Indians.

SEC. 8. The balance of the proceeds of all amounts, if any, recovered for said northwestern bands of Shoshone Indians shall be deposited in the Treasury of the United States to the credit of the Indians decreed by said court to be entitled thereto, and shall draw interest at the rate of 4 per centum per annum from the date of the judgment or decree and shall be subject to appropriation by Congress only for the health, education, and industrial advancement of said Indians.

Use limited.

Approved, February 28, 1929.

February 28, 1929.
[H. R. 16661.]
[Public, No. 855.]

CHAP. 378.—An Act To amend the Act entitled "An Act authorizing the paving of the Federal strip known as International Street adjacent to Nogales, Arizona," approved May 16, 1928.

International Street, Nogales, Ariz.
Ante, p. 589, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the paving of the Federal strip known as International Street adjacent to Nogales, Arizona," approved May 16, 1928, be, and is hereby, amended to read as follows:

Paving, etc., of, directed.

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause the grading and paving of the Federal strip of land known as International Street, belonging to the United States, along the international boundary line between Mexico and the United States and adjacent to the city of Nogales, Arizona, said paving to extend from the east side of Nelson Avenue to the top of the hill beyond West Street, with the necessary fence, retaining walls, storm sewers, the installation of an ornamental lighting system, and other items necessary in connection therewith, at a limit of cost of \$70,000."

Limit of cost increased.

Sums available until expended.
Ante, p. 925.
Post, p. 1663.

SEC. 2. All sums heretofore or hereafter appropriated under such Act of May 16, 1928, or such Act as amended, shall remain available for the purposes authorized by such Act until expended.

Approved, February 28, 1929.

February 28, 1929.
[H. R. 16274.]
[Public, No. 856.]

CHAP. 379.—An Act To provide for the establishment of a municipal center in the District of Columbia.

District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and they are hereby, author-